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September 27, 2006

William J. Murray, Jr.

VIA FACSIMILE and FIRST CLASS MAIL

The Honorable Nancy Gertner
United States District Court
District of Massachusetts
One Courthouse Way
Boston, MA 02210

**RE: Department of Labor v. Elliott, et al., 06-cv-10812
Desmond, et al. v. Batt, et al., 05-cv-10355**

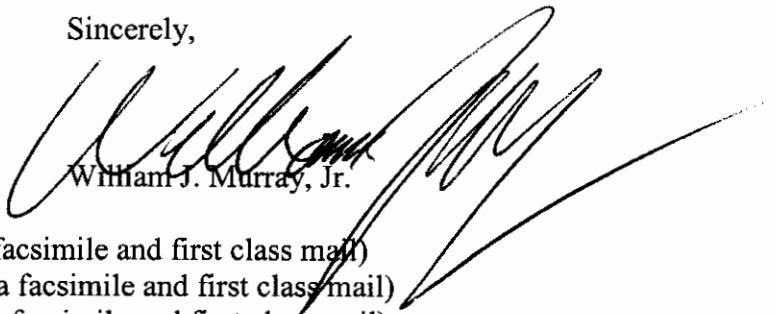
Dear Judge Gertner:

I am writing to respectfully request that I be permitted to appear and participate by telephone in the conferences scheduled in the above referenced cases on October 4, 2006 and October 25, 2006. We represent John Elliott in the above referenced matter. Elliott was named as a defendant in the case brought by the Department of Labor in the District of New Jersey but he was not named as a defendant in the action filed in Massachusetts. The two cases have been consolidated and the New Jersey action was transferred to Massachusetts.

We are located in Philadelphia, Pennsylvania and would be required to travel to Boston to attend the hearings. We note that the Department of Labor has also requested the opportunity to participate in the conferences by telephone.

Thank you for your consideration of this request.

Sincerely,


William J. Murray, Jr.

WJM:msw

c: Jennifer Weekley, Esquire (via facsimile and first class mail)
Arthur D. Goldman, Esquire (via facsimile and first class mail)
Michael O. Kassak, Esquire (via facsimile and first class mail)
Henry C. Dinger, Esquire (via facsimile and first class mail)
Ronald M. Jacobs, Esquire (via facsimile and first class mail)
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